



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants: Maes, Stephane Herman Examiner: Ramsey Refai
Serial No: 09/811,966 Group Art Unit: 2152
Filed: March 19, 2001 Docket: 8728-467 (YOR9-2000-794US1)
For: **INTELLIGENT DOCUMENT FILTERING**

Mail Stop AF
Commissioner for Patents
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PRE-APPEAL BRIEF REQUEST FOR REVIEW

In response to the Advisory Action dated February 1, 2006, rejecting claims 4-5, 11-12, and 35 under 35 U.S.C. §112, second paragraph, claims 1-9, 11, 13-20, 22-35, 37, and 39-41 under 35 U.S.C. §102, and claims 10, 12, 21, 36, 38, and 42 under 35 U.S.C. §103, Applicant appeals pursuant to the Notice of Appeal filed herewith, and submits the following Pre-Appeal Brief Request for Review.

CERTIFICATE OF MAILING 37 C.F.R. §1.8(a)

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Dated:

2/17/06

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ARGUMENTS

Claims 1-42 are pending in the present application.

The Examiner has maintained the following section 102 anticipation rejections: Claims 1-9, 11, 13-20, 22-35, 37, and 39-41 over U.S. Patent No. 6,185,625 (Tso, *et al.*).

The Examiner has also maintained the following section 103 obviousness rejections: Claims 10 and 12 over Tso in view of published Paciello, "Access to Electronic Information by People with Disabilities", IEEE, pg. 235-239, 1997; Claims 21 and 38 over Tso in view of U.S. Patent No. 6,768,999 (Prager, *et al.*); and Claims 36 and 42 were rejected under 35 U.S.C. §103 as being obvious over Tso in view of U.S. Patent No. 6,424,945 (Sorsa).

Applicant's independent claim 1 is directed to a method of filtering documents that includes *constructing an input Document Object Model (DOM) based on a document corresponding to the request; . . . and filtering the input DOM to obtain a filtered DOM, based on at least one pre-specified rule being applied to the input DOM.*

Applicant's independent claims 28 and 29 are directed to systems for filtering markup language documents, that include *a filter operatively coupled to said intermediary, adapted to build an input document object model (DOM) based on the document, and filter the input DOM to output a filtered DOM based on at least one pre-specified rule being applied to the input DOM; and a differential DOM coder operatively coupled to at least one of the at least one client device and the intermediary, adapted to receive the filtered DOM and to identify and output at least changed data with respect to the input DOM and the filtered DOM.*

Applicant contends that the Examiner's interpretation of Tso is incorrect, and that Tso does not anticipate independent claims 1, 28, and 29.

Tso is directed to a system for retrieving an object from a computer network that includes a remote scaling server coupled between the network client and the computer network that can encode the object and transmit the encoded object to the network client using a proxy. (Tso, col. 2, lines 49-59, col. 3, line 61 to col. 4, line 7.) The sections of Tso cited by the Examiner disclose compressing or scaling a document, requesting an object from a cache, a pop-up window enabling a user to indicate whether scaled or original content is desired, and a network client enabled to control a service provider for decompressing and/or translating different types of data content. The scaling disclosed in Tso includes reduction of content dimension, reduction of content quality through compression, and translation of content to a more efficient representation format, and combinations thereof.

In the Final Office Action, the Examiner concedes that Tso does not explicitly disclose constructing a Document Object Model, but alleges that HTTP/HTML documents include Document Object Models, and cites pages 7-8 of Applicant's specification as "proof" that HTTP/HTML documents always include Document Object Models.

Applicant disagrees, as the Examiner is incorrect in asserting that HTTP/HTML documents always include Document Object Models.

The document object model (DOM) is a programming interface for documents formulated by the World Wide Web Consortium. It specifies a tree-like logical structure for documents and identifies the interfaces and objects used to represent and manipulate a document, the semantics of these interfaces and objects, including both behavior and attributes, and the relationships and collaborations among these interfaces and objects. The functionality specified for the DOM Core API allows software developers and web script authors to access and manipulate parsed HTML and XML content inside conforming products by creating an object model of the content of the web document. The DOM API is intended for use with programming languages such as C++ and Java to allow application programs to build a DOM of a web document. Thus, although a DOM can be built for any HTTP/HTML document, such documents do not automatically include associated DOMs. In addition, a DOM has a very specific structure, and Tso nowhere discloses or suggests

forming a tree-like logical structure for a document.

Moreover, the section of Applicant's specification cited by the Examiner, pages 7-8, describes the functionality of an embodiment of Applicant's invention, wherein a DOM is constructed for an input document for filtering the input document. A description of one aspect of an embodiment of Applicant's invention is not a reasonable basis for the Examiner's position that HTTP/HTML documents always include a DOM representation of that document.

The Examiner also alleges that Tso discloses the functionality recited in Applicant's claims 1, 28, and 29. However, Applicant's functionality includes, e.g., *constructing an input Document Object Model (DOM) based on a document corresponding to the request; . . . filtering the input DOM to obtain a filtered DOM*, as essentially recited in claim 1, and *a differential DOM decoder adapted to receive the filtered DOM and identify and output changed data with respect to the inputs DOM*, as essentially recited 28, and 29. None of this functionality is disclosed or suggested in Tso.

The Examiner cites Tso as disclosing constructing a DOM at col. 6, lines 22-45, col. 8, lines 56-67, col. 11, lines 6-16, and col. 12, lines 20-45. Instead, the cited sections of Tso disclose compressing or scaling a document, requesting an object from a cache, and a pop-up window enabling a user to indicate whether scaled or original content is desired. None of these sections disclose or suggest *constructing an input Document Object Model (DOM) based on a document*, or *build an input document object model (DOM) based on the document*.

The Examiner cites Tso as disclosing filtering the input DOM based on at least one pre-specified rule at col. 6, lines 23-53, col. 19, lines 44-59, and col. 4, lines 17-50. The section cited by the Examiner disclose changing content by compression and/or scaling, however, there is no disclosure of *filtering an input DOM to obtained a filtered DOM*, or of a *pre-specified rule being applied to the input DOM*, as essentially recited in claim 1.

The Examiner cites Tso, col. 13, line 50 to col. 14, line 15 as disclosing a differential DOM decoder that can received the filtered DOM and identify and output changed data with respect to the inputs DOM. However, this section discloses a network client enabled to control service provider for decompressing and/or translating different types of data content. There is no disclosure that this data content is a *filtered DOM*, nor is there any disclosure in Tso of a *differential DOM coder . . . adapted to receive the filtered DOM and to identify and output at least changed data with respect to the input DOM and the filtered DOM*, as essentially claimed in claims 28 and 29.

Thus, for the reasons presented above, Tso does not anticipate claims 1, 28 or 29. Accordingly, these rejections should be reversed.

Claims 2-9, 11, 13-20, 22-35, 37 and 39-41 all depend from claims 1 or 29, and are thus patentable for at least the same reasons as claims 1 and 29. Moreover, the secondary references cited in the section 103 rejections do not remedy the deficiencies of Tso discussed above. Thus, these rejections should also be reversed.

Respectfully submitted,

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